

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Backward Classes Welfare Department- Misappropriation of Government money by Sri A.Mallaiah, ABCWO (Retired)- Departmental Enquiry Conducted – Charges framed – Imposition of penalty of Rs.194.51/- cut in pension for 2years – Orders – Issued.

BACKWARD CLASSES WELFARE (VIG.CELL.A1) DEPARTMENT

G.O.Ms.No. 33

Dated: 13 -12-2010.

Read the following:

- Ref: 1. Procdgs.No.B3/259/89, dt.28.3.90 of the Dist. Collector, Ananthapur.
2. Appeal petition dt.26.6.97 of Sri A.Mallaiah, ASWO, Kadiri.
3. Procdgs.No.Z.IV (1)/7082/97, dt.14.5.1999 of the Commissioner, Social Welfare Dept., AP, Hyd.
4. Procdgs.No.Z.IV (1)/7082/97, dt.29.6.99 of the Commissioner, Social Welfare Dept., AP, Hyd.
5. Form the Commissioner of Social Welfare, Lr.Rc.No.F1/7082/97, dt.1.8.2000.
6. Govt. Memo.No.12310/S.W.Ser.I.2/2000-1, dt.22.3.2001.
7. Form the Commissioner of Social Welfare, Lr.Rc.No.F2/7082/97, dt.8.9.2001.
8. From the Director, BCW, Lr.Rc.No.A2/3492/2002, dt.15.3.2004.
9. Govt. Memo.No.1730/Vig.Cell/2004-1, dt.14.6.2004.
10. Explanation of Sri A.Mallaiah, ABCWO (Retd.), Kadiri, dt.16.1.2005.
11. Lr.No.1730/Vig.Cell/2004-8, dt.25-6-2010.
12. From the DBCWO, Ananthapur Dist., Lr.Rc.No.B1/14/2001, dt.12.5.2008.
13. From the Prl.Secretary,A.P.P.S.C,Hyderabad,Lr.No.1017/RT-I/3/2010, Dt.30-10-2010.

ORDER:

Sri A.Mallaiah, the then ABCWO, Kadiri, Anantapur Dist., had delayed intestinally the rent payment to the owner, and had drawn an amount of Rs.13,576/- on 30.11.1988 and handed over to Sri M.Krishna Naik, HWO, SWBH No.II & IV, Kadiri for payment of rent to the house owner, in violation of instructions that payment of amounts more than Rs.100/- should be made only through DD/ Cheque.

2. The Collector, Anantapur, after conducting disciplinary proceedings, awarded the punishment of stoppage of three increments with cumulative effect against Sri A.Mallaiah, the then ABCWO, Kadiri, Anantapur Dist., in the reference 1st read above.

3. Aggrieved by the above orders, the individual has filed appeal, before the Commissioner, Social Welfare, and requested to set aside the penalty, in the reference 2nd read above. The Commissioner, Social Welfare, has set aside the penalty on the ground that, there was a procedural irregularity of imposing punishment by the Dist. Collector, Ananthapur, with out competency, but the Commissioner, Social Welfare against the individual, in the reference 3rd read above.

4. In the reference 4th read above, the Commissioner, Social Welfare, Hyderabad has appointed the Deputy Director (SW) as Enquiry Officer to conduct detailed enquiry as per Rule 20 of APCS (CC&A) Rules, 1991.

5. In the reference 5th read above, the Commissioner, Social Welfare has proposed the punishment of stoppage of one Annual Grade Increment without cumulative effect on Sri A.Mallaiah, the then ASWO and sought the advise of the APVC through the Govt. in SW Dept.

6. In the reference 6th read above, Government have directed the Commissioner, Social Welfare, to take action for dismissal of Sri A.Mallaiah, the then ASWO from Govt. Service.

7. In the reference 7th read above, the Commissioner, Social Welfare has informed that since the individual was working in BCW Dept., as ABCWO, the entire record of the case has been sent to the Commissioner, BCW for further action as per the instructions of the Govt. and the Commissioner, BC Welfare had already issued orders of the retirement of the individual subject to conditions.

8. In the reference 8th read above, the Director, BC Welfare has informed that there was no financial loss to Government. Though his behaviour was unbecoming of an officer. The Director, B.C.Welfare, however has proposed the Government to take a lenient view as the individual has already retired from service. The punishment of stoppage of one increment without cumulative effect had already imposed vide Procdgs., dt.5.1.2002 and orders had also been issued treating the period of suspension as leave of loss of pay vide Procdgs., dt.20.2.2004. The Director, B.C. Welfare has referred and requested to Government to take action accordingly against the retired Government Servant under Rule 9 of APRP Rules, 1980.

9. In the reference 9th read above, Govt. have examined the matter and upheld the previous orders of the Dist. Collector, Ananthapur and issued a Show-Cause Notice to the retired officer under Rule 9 of APRP Rules, 1980. The retired officer has been requested to why an amount equivalent to stoppage of three annual grade increments should not be recovered from his pension, for the charges proved in the regular inquiry.

10. In the reference 10th read above, the retired officer has submitted his explanation and informed that due to paucity of funds and due to not allotment of budget under rent, he could not pay the Hostel building rent to the owner. After receiving the budget, he handed over to the Hostel Welfare Officers. But they are failed to pay the amount to the owners in time. And requested to exonerate from all the charges, and drop further action against him.

11. Government after careful examination of the matter and findings of the inquiry officer, with reference to material on record and the report and remarks of the District Collector, Anantapur, considering the time the disciplinary case has taken to compute and the nature of the allegation, and the retirement of individual, Government have provisionally decided to cut in his pension which is equivalent to half the rate of the last increment of Sri A.Mallaiah, the then ABCWO (Now Retired), Kadiri, Anantapur Dist., (i.e. Rs.194.51/- = one hundred and ninety four rupees fifty one paisa) permanently under Rule 9 of APRP Rules, 1980. The APVC, Hyd has also agreed to the provisional decision of Government.

12. Government here by impose penalty of withholding of Rs.194.51/- cut in pension for two years from pensionary benefits of Sri A.Mallaiah, ABCWO(Retd),Kadiri,Anantapur District under Rule 9 of A.P.Revised Pension Rules, 1980.

13. The Director, B.C.Welfare, Hyderabad, shall take necessary action accordingly.

HIRALAL SAMARIYA
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Director, B.C.Welfare, Hyderabad.

Copy to:

Sri A.Mallaiah, ABCWO (Retd), Kadiri, Anantapur District through the Director, B.C.Welfare, Hyderabad.

The District Collector, Anantapur.

The Secretary, A.P.V.C.Hyderabad.

The Accountant General, A.P., Hyderabad.

The District Treasury Office, Anantapur.

SF/ SC.

//FORWARDED::BY ORDER//

SECTION OFFICER